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Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

Assistance for humanitarian relief, rehabilitation and development in East Timor

Report of the Secretary-General**

Summary

The present report is submitted in compliance with paragraph 16 of General Assembly resolution 56/104 of 14 December 2001, in which the Assembly requested the Secretary-General to report to it at its fifty-seventh session on the implementation of the resolution. The report covers developments from July 2001 to May 2002, subsequent to the adoption by the Security Council of its resolution 1272 (1999) of 25 October 1999, by which the Council established the United Nations Transitional Administration in East Timor (UNTAET) with three components: a governance and public administration component; a humanitarian assistance and emergency rehabilitation component; and a military component.

The mandate of UNTAET ended on 20 May 2002. The Security Council, by its resolution 1410 (2002) of 17 May 2002, established the United Nations Mission of Support in East Timor (UNMISET), starting on 20 May 2002, as the successor mission to UNTAET. UNMISET has been mandated to: (a) provide assistance to core administrative structures critical to the viability and political stability of East Timor; (b) provide interim law enforcement and public security and assist in the development of a new law enforcement agency in East Timor, the East Timor Police Service; and (c) contribute to the maintenance of the external and internal security of East Timor. The Mission, headed by the Special Representative of the Secretary-General, includes civilian, police and military components.

* A/57/150.

** The preparation of the present report was delayed to allow for the completion of consultations with the United Nations agencies, UNMISET and the Bretton Woods institutions on this issue.

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The present report outlines the developments in the repatriation of refugees and the reconciliation process. It summarizes the latest situation regarding the implementation of Security Council resolution 1319 (2000) by the Government of Indonesia, identifies preparations for natural disasters and emergency situations, presents the progress in and future policy formations for capacity development and Timorization of the public administration and summarizes donor assistance given to East Timor for humanitarian relief and the recovery and rehabilitation of the country.

Since the beginning of 2001, the humanitarian emergency has passed. Currently, UNMISET, the United Nations agencies, funds and programmes and the Bretton Woods institutions are providing assistance for the longer-term development challenges of the newly born independent East Timor. The United Nations agencies, funds and programmes with a presence in the country include the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM), the United Nations Office for Project Services (UNOPS), the United Nations Volunteers (UNV), the World Food Programme (WFP), the International Labour Organization (ILO), the Food and Agriculture Organization of the United Nations (FAO), the World Bank and the World Health Organization (WHO). They are assisting in national capacity-building in health, education, agriculture, infrastructure, child rights and protection, security, law and order and justice.

I. Refugee situation

1. As of 6 August 2002, 218,628 refugees have returned to East Timor, of whom 77 per cent have been assisted through organized voluntary repatriation movements.[1] The number of those still in Indonesia was estimated at some 43,000. A total of 25,934 refugees have returned since the beginning of 2002.

2. Voluntary repatriation figures, which for the month of August 2001 were at the lowest level, with only 608 returns, started to increase gradually as a result of the successful constitutional elections in East Timor at the end of that month. In the following weeks, the Office of the United Nations High Commissioner for Refugees (UNHCR) endeavoured to take advantage of the momentum by adopting a dynamic policy aimed at promoting repatriation through the implementation of reconciliation activities. For this, five mobile teams were set up, each covering a specific area of East Timor. At the same time, the Indonesian Government took concrete steps to encourage the refugees to repatriate: incentives were paid to each returning family, with a bonus for those who returned by Christmas 2001. This policy will be pursued until the end of August 2002. The Indonesian Government stopped material assistance in the refugee camps as of January 2002 and, in the following months, ceased free distribution of water and provision of medical assistance.

3. Repatriation figures decreased sharply in the first two months of 2002 (731 and 955 returnees in January and February, respectively), but picked up again in March (3,680 returnees) in the lead-up to the presidential elections (14 April) and as the maize harvest was completed. April 2002, with 6,072 returnees, witnessed the highest monthly number of returnees since March 2000. By then, reconciliation activities were taking place at a steady rhythm and their implementation benefited from close coordination and cooperation with the United Nations Transitional Administration in East Timor (UNTAET). Despite a pause in repatriation in the period immediately following independence, a total of 4,048 refugees returned in May. However, this situation may not last. A number of East Timorese in Indonesia are still in the ranks of the Indonesian Government (civil servants, military and police) and are waiting for the payment of severance and pension benefits. The United Nations and the Indonesian Government have launched an appeal for a special fund to cover these payments, but so far with little success. The potential beneficiaries of such a fund are part of the estimated 10,000 to 20,000 refugees who may decide to integrate locally in Indonesia. Subject to the environment in East Timor remaining favourable for returns, it is the intention of the High Commissioner for Refugees to declare the cessation of refugee status for East Timorese refugees as of 31 December 2002.

II. Reconciliation

4. UNHCR implemented different types of reconciliation activities, which were intended to bring divided communities together in a spirit of dialogue. After the successful constitutional elections of August 2001, which opened new perspectives for the return of refugees to East Timor, UNHCR took the lead in organizing and facilitating border reconciliation meetings, go-and-see visits and come-and-talk visits.

5. Go-and-see visits give an opportunity to a number of refugee representatives to meet and stay for a few days in their communities of origin, sort out past quarrels and conflicts, discuss possibilities for reconciliation and learn about the current security situation and living conditions in East Timor. Upon return to Indonesia, participants share with other refugees the information and impressions gathered during the visit. Similarly, by participating in come-and-talk visits, representatives of local communities in East Timor meet and stay with refugees in Indonesia originating from the same community. Border reconciliation meetings serve the same objectives, but last just a few hours.

6. On 21 January 2002, the seven commissioners of the Commission for Reception, Truth and Reconciliation in East Timor (CRTR) were sworn in and CRTR became officially operational. The commissioners are assisted by 29 regional commissioners. The mandate and objectives of CRTR are threefold: to seek the truth regarding human rights violations in East Timor between 1974 and 1999; to facilitate community reconciliation (which includes the capacity, through specific procedures, to deal with lesser crimes); and to make recommendations to the Government on legal and institutional reforms to safeguard human rights and promote reconciliation. CRTR has participated in border reconciliation meetings facilitated by UNHCR. It has been active in

training its personnel, including the 29 regional commissioners, 5 statement takers and some 65 support staff. Regarding truth-seeking activities, CRTR has started a pilot project in Atauro to investigate the forced movement of people (i.e. prisoners) into that island in 1983. The violations of human rights described in the 33 collected statements include murder, torture, rape and forced displacement. Another pilot project aims at community reconciliation in Oecussi with respect to the violence of 1999. A CRTR consultant has been working on the development of a database. CRTR has been actively involved in the national debate on the Draft Amnesty Law and has sponsored an all day public seminar on the theme "Amnesty or Reconciliation", which took place in Dili on 17 July 2002.

7. From 1 November 2001 to 20 May 2002, UNHCR facilitated 21 border meetings, 13 go-and-see visits and 21 come-and-talk visits. In this context, Xanana Gusmão, the new President of East Timor, played a key role at a border meeting at Batugade on 5 November 2001. He then carried out his historic visit to Kupang (West Timor) from 26 to 29 November 2001, which was followed by a visit to Atambua and Kefa (West Timor) on 4 April 2002. From 2 to 4 May 2002, President-elect Gusmão met with East Timorese refugees in Makasar in South Sulawesi. On these occasions, while maintaining that reconciliation must take place within a framework of justice, he invited refugees to return home saying that he considered them all to be part of the East Timorese family. In general, these activities have proven effective, even though one or two may not be sufficient to convince the entire refugee group from a particular community to return. This explains the necessity for UNHCR to continue implementing such mechanisms, even at a time when returns from different locations in Indonesia are taking place.

III. Implementation of Security Council resolution 1319 (2000) by the Government of Indonesia

8. Regarding the disarmament and disbanding of the militia, the Indonesian military (Tentara Nasional Indonesia, or TNI) has continued its more assertive approach, although it is difficult to estimate exactly to what extent the militia have disarmed. Public statements of senior TNI officers in West Timor have promised, in strong language, punishment for those caught bearing weapons or causing public disturbance. Uni Timor Aswain (UNTAS), the principle umbrella organization of militia groups, no longer has the control or support that it once enjoyed in the refugee camps. It probably also enjoys little support within TNI, and the organization itself has fractured. There has been a noticeable reduction in the amount of intimidation against refugees. However, the situation is not uniform, with signs of tension in a few areas, such as Betun, while the refugee situation in other areas, such as Kupang and Atambua, has greatly improved.

9. Concerning the killing of Private Leonard William Manning (a member of the UNTAET New Zealand contingent) on 24 July 2000, the Central Jakarta District Court sentenced one of the accused, Jacobus Bere, to six years' imprisonment on 7 March 2002. The prosecutors had requested a 12-year sentence. On 20 March 2002, the charges against the remaining three defendants were dismissed. The decisions of the Court are disappointing considering the gravity of the crime and it is hoped that appeals lodged by prosecutors in all four cases will be given careful consideration.

10. On 14 March 2002, an ad hoc court in Jakarta began hearing arguments regarding human rights violations that had occurred in 1999. There are three separate trials. The first involves the former Indonesian provincial police commander of East Timor, Timbul Silaen; the second involves the former East Timorese Governor, Abilio Osorio Soares; and the third involves four military officers and one police officer indicted in connection with the massacre at a church in Suai, Covalima district, on 6 September 1999. As of 20 May 2002, four East Timorese currently in East Timor have agreed to testify; the United Nations has been coordinating with the Government of Indonesia in order to facilitate their testimony, particularly in regard to their security while in Jakarta.

11. TNI has actively cooperated with UNHCR and UNTAET to facilitate the return of refugees, including come-and-talk visits, border meetings and information campaigns. The Indonesian military has also been supportive of non-governmental organizations (NGOs) offering assistance to refugees in West Timor. Over the past six months, UNHCR has been able to facilitate the return of refugees from West Timor with strong support from TNI and the Indonesian police.

12. Following the murder of three UNHCR staff members in Kupang in September 2000 and the subsequent evacuation of the staff members of United Nations agencies, programmes and funds, the Secretary-General dispatched an inter-agency security assessment mission to West Timor in July 2001 to determine if United Nations operations could be resumed. The mission recommended that a memorandum of understanding be put in place between the United Nations and the Government of Indonesia to avoid further tragedies. To date, the United Nations has been unable to reach such an agreement with the Government of Indonesia. Given the priority of repatriation of the Government of Indonesia, the assessment mission conceded that United Nations missions related to this objective could be undertaken on a case-by-case basis with the requisite security arrangements in place, pending the conclusion of the memorandum of understanding.

IV. Preparations for future emergency situations

13. The National Disaster Management Office (NDMO) was established in January 2001. NDMO functions within the Directorate of Civil Security of the Ministry of Internal Administration. It works to support the National Disaster Coordinator and the National Disaster Management Committee by coordinating provision of disaster and emergency management services.

14. The Office became fully functional in January 2002 and now comprises eight staff. International staffing was reduced from five to one by April 2002. This has put added pressures on national staff, who still require ongoing capacity development. NDMO has been working closely with United Nations agencies and international and national NGOs to undertake disaster assessment and relief work. The World Food Programme (WFP) closed its East Timor food assistance operations at the end of May 2002 and UNHCR is progressively downsizing in East Timor. NDMO is required to expand its activities to fulfil these mandates in collaboration with such government partners as the Division of Social Services.

15. Since the previous report of the Secretary-General (A/56/338), no large-scale relief efforts have been required. Small-scale emergencies, such as floods, were assessed by NDMO, United Nations agencies and NGOs, with relief provided by the international community. It is predicted that an El Niño-triggered drought may occur in 2002-2003. To be prepared for such an eventuality NDMO is undertaking a preliminary community vulnerability assessment and is seeking funding to undertake a more comprehensive study.

16. A year-long disaster management capacity-building project funded by the United Nations Development Programme (UNDP) commenced in August 2001. The project focuses on the training of key officials at the national and district levels. The project is also supporting NDMO with national and district public education and awareness activities and in the establishment of a Disaster Management Information System, which now includes natural hazards maps for East Timor on a national scale. In addition, the project is working towards the establishment of a modest stockpile of non-food items.

17. The longer-term challenge for the Government in terms of disaster management is to work towards the integration of disaster management into the national, district, subdistrict and community planning and development processes and to invest in the development of technical capacity. It is also necessary for the Government to ensure contingency funding for emergency response activities. Key competencies currently lacking are an early warning system, a national meteorological recording system and human resource disaster management capacity and structures, including capacity for post-emergency assessment. In particular, it is necessary to strengthen and operationalize a multisectoral disaster management network at the national, district and community levels.

V. Capacity-building

18. In considering the initial conditions of the country — violence, disruptions and damage, collapse of the State and institutions and permanent departure of the upper echelon of civil servants — much progress has been made in restoring public services. UNTAET, with the help of the United Nations agencies, funds and programmes, NGOs and other international organizations, has achieved a great deal in terms of restoring and ensuring the functioning of essential services (power, water, roads, housing, transport, ports

and civil aviation), central and district public administration and the legal system.

19. New key institutions were established, including the Council of Ministers, the Capacity Development Coordination Unit, the Donor Coordination Unit, a judiciary, the Central Fiscal Authority and the Central Payments Office. During the early years of independence, assistance will be required to ensure that vital systems put in place remain sustainable and that the tasks undertaken during the transition period are adequately completed. In those areas critical to the viability of Government, political stability and the provision of basic services, and for which no other source of assured funding has been identified, the United Nations Mission of Support in East Timor (UNMISET) will continue to assist the Government through the provision of international expert assistance. Within the framework of the UNDP Governance Programme, mechanisms for bilateral and multilateral voluntary contributions have been put in place and recruitment has commenced of 200 international experts who will advise the Government and build the capacity of national counterparts to address long-term development needs.

20. While some parts of the administration — largely in operational and processing areas — were better placed to recruit staff, overall, recruitment has been slower than anticipated, especially at the senior management levels. As of 26 May 2002, the Directorate of Public Service under the Ministry of Internal Administration recruited 78 per cent of the approved 11,896 civil servants positions. While this is an appreciable achievement, the appointments have been made mainly at the lower level, with less than 50 per cent of management positions having been filled so far. The Capacity Development Coordination Unit in the Office of the Prime Minister is working with UNDP and the donor community to identify and recruit qualified international candidates for 100 "stability positions" and 200 "development positions" who will work with the Government to help address the lack of existing capacity.

21. The 10-year programme for governance and public sector development prepared by the National Planning Commission and UNDP and endorsed at the Canberra donors' meeting in June 2001 is being operationalized now. Specifically, interventions in formulating legal and regulatory frameworks for the civil service and in strengthening institutional capacity for civil service human resource management and development are under way. A strong emphasis is being placed on developing national human resource development capacity and a range of donors are supporting the Civil Service Academy, the main public administration training institution, in strengthening its management and delivery capacities.

22. One of the major constraints for the development of East Timor is the lack of up-to-date demographic, economic and social data. Many of the statistics collected during the Indonesian era have been lost and/or are no longer relevant given the extensive changes and dislocations of the population since 1999. To address this need, a poverty assessment study based on the household survey carried in late 2001 by the Second Transitional Government's Statistics Department, with the support of the World Bank, UNDP, the Asian Development Bank (ADB) and the Japan International Cooperation Agency (JICA), is being finalized. The World Bank is also supporting a demographic and health survey of the population, which is scheduled to take place in 2003, and the United Nations Population Fund (UNFPA) is working with the Ministry of Finance to prepare a plan for carrying out the first national census.

A. Health

23. The former Division of Health Services under the Department of Social Services of the East Timor Transitional Administration was formally established as the Ministry of Health in September 2001. Capacity development and "Timorization" of the health sector are the main challenges for the Ministry. Since the beginning of the crisis, the International Committee of the Red Cross and 15 international NGOs had provided health-care services to the East Timorese population. As the Ministry of Health took over responsibilities for providing health services, the phasing out of international NGOs was carried out gradually and was completed in December 2001. In all 13 districts, the East Timorese have progressively assumed responsibilities for providing health services. To achieve this transition, an intensive recruitment of civil servants for the health sector was initiated. The World Health Organization (WHO) has assisted in this recruitment process by providing the job descriptions and detailed roles and responsibilities for these posts.

24. As of April 2002, 834 civil servants have been recruited to work in various capacities in the health system. For additional strengthening of health service delivery, 21 international physicians were recruited to provide curative services in the districts. An additional five public health physicians were recruited for district management support. Since the phase-out of international NGOs in December 2001, it is estimated that the Ministry of Health has been able to continue to provide basic health services to 80 per cent of the population.

25. Health facilities throughout the country have been reconstructed and rehabilitated. The newly constructed central pharmacy warehouse in Dili has become fully operational and is able to receive and deliver drugs and medical equipment throughout the country. The Ministry of Health commissioned a study on the configuration of the health facilities and their roles for service delivery in the health system. At present, there are 117 mobile clinics and 88 health posts, 54 community health centres without beds, 5 community health centres with observation beds, 5 community health centres with limited surgical capacity, 5 regional hospitals and 1 national hospital. Under the Trust Fund for East Timor, 25 community health centres are in various stages of construction. A countrywide high frequency communications system is being installed in hospitals and health centres.

26. The Ministry of Health is developing its human resource development policy, which is crucial for future development of the health sector. At present, there are only 25 East Timorese doctors in the country and to address this shortfall, WHO has provided scholarships for 10 East Timorese medical students. The Australian Agency for International Development (AusAID) has also provided scholarships for 16 health personnel.

27. Routine immunization of all children in the first year of life has increased from 15 per cent during the first quarter of 2001 to 34 per cent during the last six months. The cold chain system for vaccine preservation is now well established across all 13 districts of East Timor. To improve immunization further, the Ministry of Health and United Nations agencies developed a five-year national immunization plan with the financial assistance of the Global Alliance for Vaccines and Immunization. Significant progress has been made towards the establishment of a national tuberculosis elimination programme in East Timor. This programme is active in all 13 districts and has 20 diagnostic facilities. Since inception of the programme, over 6,000 persons have been diagnosed and have started treatment. The most common childhood illnesses are acute respiratory and diarrhoeal diseases, followed by malaria and dengue. Studies carried out by the Ministry of Health and WHO demonstrated that more than 80 per cent of children have intestinal parasite infections and approximately 12 per cent of the population has lymphatic filariasis. Japanese encephalitis is also highly endemic in East Timor. The Ministry of Health and WHO, in collaboration with the International Leprosy Mission for South-East Asia, have reintroduced the leprosy elimination campaign. The Ministry of Health, with the support of United Nations agencies, is in the process of finalizing protocols for the standard management of major communicable diseases. The establishment of the diseases surveillance network has resulted in timely investigations and containment of cholera and other communicable diseases with epidemic potential. Various training courses are conducted for health personnel for the prevention and control of communicable diseases.

28. Progress has been made in taking steps to address the issue of HIV/AIDS in East Timor. The Ministry of Health has developed a national strategic plan for HIV/AIDS to be presented at the national conference on AIDS in June 2002. The East Timorese HIV working group continues its work with the Church and youth educators to educate vulnerable young people. The Joint United Nations Programme on HIV/AIDS and AusAID are contributing to the work carried out in East Timor for the prevention of HIV/AIDS, including health education, the establishment of testing facilities, and the establishment of safe blood transfusion services. The United Nations Children's Fund (UNICEF) and UNFPA have started to work with the general population and youth on HIV/AIDS awareness and education as part of the wider "healthy lifestyles approach". The Ministry of Health, with WHO, has conducted a preliminary survey to assess the prevalence of HIV in East Timor, which indicates a prevalence rate lower than 0.64 per cent. As part of control measures for HIV/AIDS, major emphasis has been given to the management of sexually transmitted infections. Strategies have been developed, training modules have been prepared and a training of trainers on syndromic management of sexually transmitted infections was conducted in April 2002.

29. The implementation of the integrated management of childhood illnesses (IMCI) is in progress through the support of the United Nations agencies. IMCI has been introduced in three districts where health professionals have been trained. UNICEF is also collaborating with the Ministry of Health to facilitate a campaign to promote a better understanding of breastfeeding among East Timorese mothers. Moreover, a programme is being developed for the distribution of vitamin A.

30. The Ministry of Health, with support from UNICEF, UNFPA and WHO, trained 15 East Timorese midwives as national trainers for the introduction of the WHO standards of midwifery practice. These trainers then conducted further midwifery training in five districts (Baucao, Bobonaro, Covalima, Dili and Oecussi). Subsequently, WHO also carried out an audit of WHO standards of midwifery practice in those districts. The audit revealed that the training provided was effective.

31. In the area of mental health, a national mental health policy was developed by United Nations agencies and AusAID will support further work. Taking into consideration the high morbidity rate in diarrhoeal diseases, the Ministry of Health and United Nations agencies are working with the relevant government departments to coordinate efforts to improve sanitation and the quality of drinking water. To further improve the health status of the people of East Timor, the Ministry of Health has conducted steps to strengthen health promotion training, policy development and materials development for health promotion campaigns.

B. Education

32. Since the previous report of the Secretary-General, considerable progress has been made in the rehabilitation of schools. In the reporting period, a school enhancement programme has provided 448 ceilings and 114 partitions for 100 schools across East Timor. Thirteen schools in the districts of Aileu and Bobonaro have had their electricity supply restored. UNICEF, in collaboration with six international NGOs, is carrying out the rehabilitation and construction of water and sanitation facilities in 200 schools across East Timor. Through the Trust Fund for East Timor, all school rehabilitation work to bring the schools to a basic operational level under the emergency school readiness project (ESRP) has been successfully completed. The original ESRP target for school reconstruction of 700 schools was revised downward to 535 schools, but the number of classrooms increased from 2,100 to 2,780. Most rehabilitation was done through community grants. Two new primary prototype schools (Baucau and Manatuto) and three new pre-secondary prototype schools (Maliana, Same and Oecussi) have been constructed. In addition, 72,484 sets of student furniture and 2,000 sets of furniture for teachers have been delivered to schools and assembled in classrooms. The nationwide school mapping exercise has been completed; the final report, including findings and recommendations, was submitted in September 2001.

33. A total of 240,000 primary and secondary school students have benefited from the provision of fundamental school supplies. Students and teachers have also benefited from the provision of teaching and learning materials to 5,480 teachers across East Timor. Two East Timorese staff from the Ministry of Education have been trained as facilitators in early childhood care (ECC) and survival growth development (SGD). These facilitators have conducted the training of 104 kindergarten teachers in ECC-SGD. Through ESRP, a total of 2.1 million textbooks were ordered and distributed. The distribution of all textbooks ordered through ESRP is now fully completed.

34. UNICEF has supported curriculum development, focusing mainly on math and science, and health education. Twenty East Timorese have been trained in textbook development. The pilot phase of the 100-school initiative, aiming at school quality improvement, has now started in 20 primary schools in two districts and it is planned that the programme will be implemented on a larger scale during the period 2003-2005. During the pilot phase, 40 trainers were trained as district trainers for the implementation of school-based teacher training and 75 teachers from 20 schools have attended a four-day "learning through participation" training workshop.

35. In order to combat illiteracy among East Timorese women (currently estimated at almost 60 per cent), the UNICEF-assisted women's empowerment project has as its focus informal education in the areas of literacy development and the institutional strengthening of women's organizations. A youth development project has provided technical and

financial support to East Timorese youth organizations that are facing problems regarding the general lack of education and employment together with lifestyle threats, such as HIV/AIDS and substance abuse. During the reporting period, a series of training of trainers workshops were initiated so that youth organizations can benefit from training in policy development skills, negotiation, advocacy and lobbying.

C. Agriculture and food security

36. East Timor is primarily an agricultural economy with over 80 per cent of the population living in rural areas and 75 per cent of the labour force engaged in agriculture, primarily of a subsistence nature. The majority of the poor in East Timor are directly or indirectly engaged in agriculture. It is therefore crucial that the coordinated international support programme, which has contributed to the successes achieved to date in East Timor, should continue on a medium- and long-term basis in order to promote food security and eradicate poverty.

37. The great importance of rural and agricultural development has been well reflected in the country's first National Development Plan, in which agriculture is one of the three major priority areas. The former Division of Agriculture Affairs under the Department of Economic Affairs was upgraded to become the Ministry of Agriculture and Fisheries, following the establishment of the Second East Timor Transitional Government in September 2001. The Ministry is now restructuring itself to establish three departments: the Department of Agriculture and Livestock; the Department of Fisheries and Marine Environment; and the Department of Forestry.

38. Agriculture and rural development continue to receive support under emergency rehabilitation funding arrangements through the Trust Fund for East Timor, bilateral and multilateral donors and United Nations agencies. A joint donors' mission to East Timor was undertaken from 19 to 30 November 2001 by AusAID, the World Bank, the United States Agency for International Development, Portugal, UNOPS, UNDP, JICA and the Food and Agriculture Organization of the United Nations (FAO), as well as senior staff from the Ministry of Agriculture and Fisheries and representatives from international NGOs. In response to requests from the Ministry of Agriculture and Fisheries, the mission focused on identifying possible donor assistance in relation to agriculture and natural resources management policies. The mission also helped to identify the key urgent policy and development issues currently confronting the agricultural sector. The second agriculture rehabilitation project (ARP II), with funding of US$ 8 million from the Trust Fund for East Timor and US$ 0.9 million from the Consolidated Fund for East Timor, was launched in October 2001. The aims of ARP II are to improve the food security of rural families and to increase agricultural production in selected areas of East Timor.

39. Under the Trust Fund for East Timor, funding was provided to ARP I for two vaccination campaigns for buffalo and Bali cattle against haemorrhagic septicaemia, reaching 94 per cent (112,400) of buffalo and 105 per cent (155,030) of Bali cattle. In addition, 233,000 pigs were vaccinated against hog cholera. This figure corresponds to an estimated 87 per cent coverage. A total of 1.08 million doses of Newcastle disease vaccine were provided directly to the communities and chicken owners were trained in applying the vaccine. A total of 71,000 chicks were distributed to about 14,000 poor beneficiaries (71 per cent of the original target), many of whom are women. Mortality among these animals has reportedly been high owing to transportation and handling problems. Of the surviving chickens, however, spot checks indicate that they are growing well and some have started laying eggs. A total of 826 Bali cattle and 1,500 buffalo have been distributed to date. The project expects to distribute a total of 2,500 animals by project completion, exceeding the original targets by 25 per cent. So far, the reported mortality among animals distributed has been low. A total of 76,959 hand tools were distributed to 20,660 families in all 13 districts.

40. A feasibility and engineering study was completed for 22 light-to-medium damage schemes and 18 heavily damaged irrigation schemes, of which 11 schemes were proposed for rehabilitation under ARP II based on technical, socio-economic and environmental criteria. Owing to the steady progress of this component, four schemes have been advanced to ARP I. Rehabilitation of these schemes is expected to be completed by June 2002. In addition, 74 community grants for the rehabilitation of 7,737 hectares of small irrigation schemes, and 36 grants for the rehabilitation of 109 kilometres of farm-to-market access roads —

in excess of the original project targets of 2,000 hectares and 100 kilometres, respectively — have been issued.

41. A five-year community activation project, with funding support from the United Nations Human Security Fund, is now under way to assist an estimated 12,000 farmers' households in lowland/highland agriculture, seed multiplication, livestock restoration, nurseries, enhancing food security and income generation opportunities. The United Nations and other agencies have provided agriculture policy assistance as needed by the Government. Donors have provided funding for the implementation of various projects in different areas, including agriculture study, agriculture rehabilitation, seed multiplication, reduction of post-harvest losses, integrated rural development and community activation, rural microfinance, fisheries management and aquaculture, forestry, livestock, irrigation and coffee production and processing. NGOs and national organizations are actively involved in project implementation.

42. Following the decision of the World Food Programme (WFP), in May 2001, to withdraw gradually from East Timor, food assistance programmes have been kept to a minimum level since July 2001 and implemented directly by WFP. The school feeding programme, targeting 65 schools located in vulnerable areas countrywide, ended with the close of the school year, in July 2001. As of July 2001, food assistance was mainly provided to institutions, i.e. orphanages, boarding schools and boarding houses, hospitals, and tuberculosis clinics countrywide totailing 60 institutions and 20 tuberculosis clinics. Other food assistance projects included food-for-work and food-for-training activities implemented in the five districts identified by WFP as the most vulnerable. In preparation for the 2001 planting season (November-December), the joint WFP-FAO seed swap operation was relaunched in July 2001. A total of 40 metric tons of rice was exchanged for maize seeds in surplus areas, which were then redistributed to some 1,070 farmers and 6,850 returnees. Over the reporting period, WFP continued to support repatriation efforts; from July 2001 to May 2002, a total of 25,800 returnees received their free food package upon arrival in transit centres. Except for the provision of food packages to returnees, all food assistance programmes were phased out at the end of April 2002.

D. Infrastructure

43. The fast pace of infrastructure rehabilitation continues. The Trust Fund for East Timor donors, the Asian Development Bank and United Nations agencies are collaborating in the implementation of various infrastructure rehabilitation projects, including a $47 million two-phase programme funded by the Government of Japan. (The East Timorese Government endorsed a further $18.5 million support by the Government of Japan — a second-phase emergency assistance grant — in May 2002.)

44. With the support of bilateral donors, NGOs, the Trust Fund for East Timor and United Nations agencies, most water supplies in urban and rural areas have generally been restored to the basic service levels provided during the Indonesian administration. The Government of Japan is funding a large-scale, two-phase water rehabilitation project in Dili, as well as repairs to the systems in Los Palos, Liquica and Manatuto, with support from United Nations agencies. Water and Sanitation Service manages urban water supplies in Dili and the main towns of the other districts, providing strategic and management support for community (rural) water supplies outside these areas. Tariff collection is scheduled to commence in Dili in early 2003.

45. The UNICEF water and sanitation interventions started with hygiene and sanitation promotions using participatory rural appraisal techniques. The "village entrepreneurs" function as the key focal point for local communities in need of the provision of water and sanitation. By March 2002, a total of 4,425 family latrines, 410 dug-wells, 43 hand pump platforms and drainage, and 868 water jars with a capacity of 1,300 litres were completed.

46. The four functioning generators at Dili's Comoro power station have been overhauled. The total output still falls below the peak hour demand, making regular load-shedding inevitable. The Power Authority is currently looking into different options for increasing supply. With support from the Trust Fund for East Timor, the Governments of Japan and Portugal and United Nations agencies, 17 rural power stations were rehabilitated in early 2002 with a further 14 due to be rebuilt by the end of 2002. In both rural and urban sectors, the lack of an effective cost-recovery and management system poses a threat to medium- and long-term sustainability of power generation. The new

billing system introduced in Dili in August 2001 has only achieved partial success, owing to the combination of users' unwillingness to pay, insufficient staff training, the malfunctioning of meters and illegal connections.

47. With the restoration of navigation aids and fender systems complete, the port of Dili now operates 24 hours a day. Further work will be carried out in 2002-2003 to enhance cargo handling capacity. Technology transfer to East Timorese technicians as to the efficient and safe management and operation of the port has been done, though capacity-building in overall supervision is still required. The port of Dili is expected to generate enough revenue to be self-sufficient in the coming days.

48. For the past one year, the road network has made considerable improvement under Trust Fund for East Timor, UNTAET and UNDP and UNOPS support: approximately 75 per cent of the national road network (1,250 kilometres) and 25 per cent of the district road network (632 kilometres) has met the performance indicator set for the network — i.e. no core road should be closed for longer than two days, except where covered by rising waterways. The rehabilitation works are supplemented by emergency repair undertaken by the Peacekeeping Force when rapid response is required. A series of training sessions have been given to officials, local engineers and community members on supervision, quality control and a community-based maintenance programme that creates local employment while keeping the cost low. Further capacity development needs have been identified.

E. Child rights and protection

49. Women and children continue to bear the burden of post-conflict trauma and stresses in East Timor. The UNICEF child protection programme collaborates with local and international NGOs, the East Timor Public Administration (ETPA) and UNMISET to strengthen the capacity of local organizations in the areas of children's and women's rights, protection and care. UNICEF worked with local and international NGOs, ETPA and UNTAET through a working group for child rights in East Timor's constitution to lobby the Constituent Assembly to include specific guarantees for children in the new constitution. Article 18 of the East Timorese Constitution, officially adopted on 22 March 2002, specifically mentions the responsibility of family, community and State to protect the universally recognized rights of children and of children's rights to protection from violence and abuse.

50. UNICEF continued to provide technical assistance in the development of policy and legislation as it relates to children and young people. In the areas of juvenile justice, and legal and social affairs, UNICEF forwarded advice and comments on draft legislation, in accordance with the Convention on the Rights of the Child and other key human rights instruments, to UNTAET and ETPA. UNICEF has also supported assessments of the situation of women and children in East Timor. Studies have been completed on the involvement of children in armed conflict, either with the TNI-sponsored militias or with the East Timorese Falintil resistance movement, on the status of separated children and orphans, on the East Timorese orphanage system and on juvenile justice, abuse and sexual exploitation. UNHCR, in cooperation with the Indonesian and East Timorese Governments, continues to focus on the issue of separated children. An improved spirit of cooperation among the parties concerned gives hope for the resolution of a number of difficult cases.

51. UNICEF supported the development of child friendly spaces (CFS), which were crucially important in the immediate aftermath of the emergency and are now operating as community-based centres. These centres aim to organize and deliver critical child protection services, including protection from abuse and neglect and the deprivation of access to basic services. In partnership with community-based organizations and NGOs, eight CFSs were opened during the period from July 2001 to May 2002.

F. Security

52. The robust presence of the UNTAET military component ensured the stable security environment necessary for rehabilitation and development activities. Since the previous report of the Secretary-General, the security situation has been generally calm. There has been, however, an increase in reports of shooting, flares and explosions in the vicinity of the tactical coordination line, the informal boundary agreed to by UNTAET and TNI pending formal demarcation of the border. While a number of these incidents are still linked to the continuing activities of militia elements in

West Timor, others, which have increased, may be the result of military operations, hunters or illegal traders.

53. Within this context, good cooperation between TNI and the UNTAET peacekeeping force has contributed to a decline in militia activity. However, UNTAET considered that a presence of hard-line militia still remains in West Timor, posing a continuing potential threat. As recently as 9 March 2002, an UNTAET patrol was subject to proximate fire near the tactical coordination line.

54. Illegal markets continue to operate on the borders, with some becoming larger and more difficult to patrol and manage. There are indications that suspected militia elements use the markets to extort money from traders. Illegal market activity will be easier to control when the demarcation of the border is agreed between East Timor and Indonesia. The first phase of border demarcation, a joint Indonesian and East Timorese reconnaissance, was conducted from 24 April to 3 May 2002. The findings of the survey will be reported to the technical subcommittee on border demarcation and regulation, a subcommittee of the Joint Border Committee (a bilateral Indonesia-East Timor committee). The technical subcommittee will draw up technical specifications and definitions to guide the demarcation work, which is projected for completion by July 2003. Another indicator of normalizing border relations between Indonesia and East Timor is the inauguration of a customs border post at Junction Point C at Tonobibi, Bobonaro district, on 9 May 2002.

55. Development of the East Timor defence force continues. The first infantry battalion of 500 members continues its training at Los Palos, Lautem district. Recruitment for the second battalion and support units has begun at the Metinaro training facility, Dili district. Training is also continuing with the newly established maritime component of the force located at Port Hera, Dili district. The target strength of the force continues to be 1,500 regular soldiers, supported by a reserve of a further 1,500 soldiers.

56. The Special Representative of the Secretary-General has recently appointed a civilian Secretary of State for Defence. Planning and budgeting for the establishment of a Ministry of Defence is under way. This Ministry will provide defence policy advice and the essential civilian oversight required for the long-term management of the force. Development assistance for the force has been provided through bilateral assistance and donor contributions. However, additional training and donor financial support, including extensive capital investment, is required up to and well beyond independence in order to ensure that the force reaches operational capability, which is projected for January 2004.

G. Justice

57. The absence of a developed structure to support the judiciary has continued to hamper attempts to ensure that the courts' administrative requirements — including staffing needs — are met in a timely manner. This lack of administrative support, coupled with delays in recruitment, has meant that only one special panel for serious crimes is able to function and that the Court of Appeal has had no quorum since October 2001, following the departure of two international judges. This has led to a backlog in appeals for both serious and ordinary criminal matters, including some cases in which the appellants are in custody. The lack of a president of the Court of Appeal, accountable for court supervision, in recent months has also further weakened administration in the courts. These difficulties have clearly had a negative impact on the effectiveness of the judicial system at a time when East Timorese confidence in the nascent judicial system is clearly critical.

58. To remedy this, and in accordance with the advice of the Transitional Judicial Services Commission, the Special Representative of the Secretary-General issued an executive order transferring two international judges from the special panels to sit temporarily on the Court of Appeal to reduce the critical backlog of appeal cases in the immediate term. Urgent recruitment is under way for further judges for the special panels. Candidates have been located and the Government has been asked to indicate its endorsement of those candidates so that UNMISET can complete the recruitment.

59. Furthermore, in an effort to leave in place a stronger independent court administration system, UNTAET is recruiting a court administrator for the special panels that will assist in coordination of the planning and operational aspects of the panels' work. The district courts of Dili, Baucau, Suai and Oecussi are now fully operational. Suai court was rehabilitated and equipped by UNDP. There are a total of 25 judges, 10 public defenders, 12 prosecutors and 25 court clerks

receiving on the job training under a UNDP-supported project. Additional support is being given to train East Timorese prosecutors in the Serious Crime Unit.

60. The lack of a pool of skilled national interpreters and translators, particularly in the light of the four languages being utilized in the courts, will continue to cause delays in the administration of justice for some time in the future. Donor Governments must be urged to support the training of a cadre of national interpreters with technical interpretation skills to provide these services on a more sustainable basis.

61. On 18 and 19 March 2002, prisoners at Becora Prison in Dili staged a non-violent protest that was quickly contained by United Nations Police. On 22 March 2002, a similar protest took place at Gleno Prison in Ermera. The Special Representative of the Secretary-General established an independent panel to make a thorough investigation into the causes of the unrest and report back with recommendations on 12 April 2002. The report contained several recommendations relating to access to justice, which was an area of specific concern for the prisoners, in addition to matters relating to the conditions of prisoners. As part of an earlier effort to address these concerns, the national public defenders have set up regular legal aid clinics in Becora and Gleno Prisons. A lawyer visits each prison once a week on a rotation basis to provide legal advice to prisoners at all stages of the process.

62. Capacity-building across the entire justice sector continues to be of the highest priority. The pressure for tangible outputs on international staff in judicial and prosecutorial positions necessarily detracts from the time that can be dedicated to mentoring. This is compounded by the considerable constraints caused by the level of education and experience of the national incumbents, limited resources and language barriers. The second phase of the UNDP judicial mentoring programme is now intensifying its activities with highly qualified judicial mentors. In the meantime, UNMISET continues to support offers of assistance for the justice sector from bilateral and other donors and is making every effort to ensure that links are built between East Timorese Government counterparts and the wider donor community.

H. Law and order

63. March 2002 marked the second anniversary of the establishment of the East Timor Police Service (ETPS). During that time 1,552 officers were trained at Dili's Police Academy, almost 20 per cent of whom are female. A further 248 Timorese cadets are currently in training at the Police Academy. The local population has reacted positively to the increasing profile of East Timorese police officers.

64. As more East Timor police officers are trained, the United Nations Police has gradually begun to hand over control of policing activities to ETPS, while remaining in place to monitor and provide advice and assistance. For one day every week in all districts, ETPS assumes operational responsibility, allowing ETPS officers to hone their skills at all levels in realistic situations. On 31 May 2002, United Nations Police handled over the Police Training College, the Baucau Special Police Force and Aileu and Manatuto districts to ETPS control. This was the first of the instrumental handovers that are to take place through 2004.

65. One major issue that has emerged in East Timor is that of domestic violence and other gender-related crimes. About 20 to 30 per cent of court cases in 2000-2001 concerned domestic violence and the United Nations Police report that 40 per cent of reported incidents relate to domestic violence. Several United Nations bodies, including the United Nations Police, have been working with the Government of East Timor to address various aspects of this issue, including the need for research, services and appropriate legislation. UNFPA is supporting a project to strengthen the capacity of the Government's Office of Promotion of Equality and is working with that office and a national NGO to develop domestic violence legislation to propose to the Council of Ministers and the legislature.

VI. Donor assistance

66. Member States have continued to provide support to the development efforts of East Timor. Donors' conferences in Tokyo, Lisbon, Brussels, Canberra, Oslo and, most recently, in Dili played a substantial role in maintaining coordination during transition from relief and rehabilitation to regular development. The Second Transitional Government of East Timor approved the country's first National Development Plan on 6 May

2002. The last donors' conference was held on 14 and 15 May 2002 and the National Development Plan provided the basis for the discussions. Both the National Development Plan and the medium-term fiscal strategy and framework were discussed during the conference. The combined sources for external financing requirements for the three-year post-independence period are $408 million.

67. For the next three years, donors have pledged $360 million ($82 million for budgetary support and $278 million for bilateral projects). Together with $81 million available through the Trust Fund for East Timor and UNMISET, East Timor will now have access to $441 million for its three-year budget framework. The composition of the Government's three-year budget clearly reflects the Government's commitment to develop sustainable basic services. Expenditures for education, health and community services constitute 34.1 per cent, 34.2 per cent and 38.4 per cent of the Consolidated Fund for East Timor in 2002, 2003 and 2004, respectively. The Secretary-General is gratified to see these high levels of commitments for the development of basic services.

68. In support of the Government's development priorities, the United Nations agencies, funds and programmes have also been very successful in mobilizing resources from their regular budgets and bilateral and multilateral sources. Excluding the Trust Fund for East Timor, during the last three years, the United Nations agencies, funds and programmes have mobilized $155 million from their regular budget and bilateral and multilateral donors. Again, in addition to $86.4 million (50 per cent of total available funds) invested through the Trust Fund for East Timor, the Secretary-General is most gratified to see that 36 per cent of United Nations agency support was invested in education, health and community development projects. The main challenges for East Timor's nation-building and sustainable development are still to come. Therefore, it is very important for bilateral and multilateral donors to support the country's diversified development challenges during the initial years of independence.

VII. Conclusions

69. Since the Secretary-General's previous report on humanitarian relief, rehabilitation and development in East Timor (A/56/338) and the adoption of resolution 56/104, a great deal has been achieved. The presence of the UNTAET military component ensured the stable security environment necessary for rehabilitation and development activities. Since the previous report, the security situation has been generally calm, but the return of the remaining refugees from West to East Timor must remain a firm priority to ensure that security on both sides of the border is enhanced. During the initial years of independence, development of stronger links between the police service and community is necessary. Reconciliation and peacekeeping activities will continue to play an important role in complementing the formal law and order system. UNMISET will continue to provide interim law enforcement and public security during the next two years of its mission in East Timor.

70. Steady progress has been made in restoring essential services (power, water, roads, housing, transport, ports and civil aviation). In support of the Government's development priorities, the United Nations agencies, funds and programmes and the international financial institutions are involved in a variety of projects and programmes in the sectors of poverty reduction, community development, infrastructure rehabilitation, governance, education and health. They will continue to support the Government to meet its long-term development targets.

71. More than 40 percent of East Timorese are still living in absolute poverty, earning less than the national poverty line of $0.55 per person per day. Raising the economic and social status of the poor will be a major challenge. There is a grave shortage of qualified and experienced East Timorese across all areas of government activity, the private sector and civil society. Almost two out of three adults are unable to read and write. Building human and institutional capacities will be a challenge. Capacity-building across the entire justice sector continues to be of the highest priority.

72. In reaching the Government's targets and priorities set out in its First National Development Plan, the initiatives of the East Timor Government and donors need to be well coordinated and monitored to ensure the maximum impact and value for donor inputs. The continued support of UNMISET through its civilian component is vital

for the development and strengthening of public administration. The Secretary-General encourages Member States to continue to support East Timor to build on the success already achieved and to assist East Timor along its development path to self-reliance.

Notes

[1] Figures for returnees are as of July 2002.